



MOTION PICTURE ASSOCIATION
OF AMERICA, INC.
1600 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
(202) 293-1966
FAX: (202) 293-7674

FRITZ E. ATTAWAY
EXECUTIVE VP GOVERNMENT RELATIONS
WASHINGTON GENERAL COUNSEL

October 17, 2003

Rick C. Chessen
Associate Bureau Chief
Media Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: MB Docket No. 02-230

Dear Mr. Chessen:

In a letter to you dated October 16, 2003, Mike Godwin of Public Knowledge challenged a representation made by Jon Baumgarten on behalf of MPAA that device manufacturers estimate that the cost of implementing the Broadcast Flag is "de minimis." Mr. Godwin asserted that Mr. Baumgarten's statement "continues to be unsupported and undocumented" and "flies in the face of what we know about the costs normally associated with re-engineering product lines of consumer-electronics and information-technology devices."

This is to point out that Mr. Baumgarten's representation is, in fact, supported by the record in this proceeding, most recently by Thomson in a letter to the Secretary of the Commission dated October 8 in which Thomson refers to an ex parte communication in which:

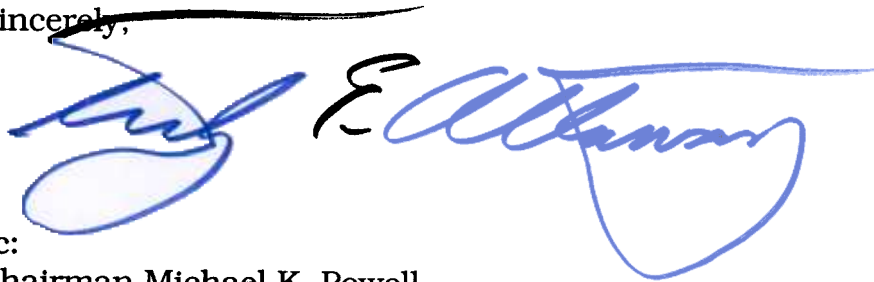
"Thomson confirmed that if final adoption of rules implementing the Broadcast Flag occurs in the next three to four weeks, it will be possible to enable "Digital Cable Ready" HDTV Sets that have digital outputs with the necessary software to affirmatively respond to the Broadcast Flag bit in the ATSC bitstream.

Thomson further explained that there is very little cost involved for a manufacturer to implement this change, assuming that existing

technologies such as DTCP (5C) are accepted as approved Broadcast Flag protection technologies."

It should be noted that Thomson is not associated with any of the parties to this proceeding who have an interest in Broadcast Flag compliance technologies and, as a leading manufacturer of consumer electronics equipment is more than qualified to express an expert opinion on the cost of implementing the Broadcast Flag.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael K. Powell", is written over a horizontal line.

cc:

Chairman Michael K. Powell
Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Secretary Marlene H. Dortch
Mr. Paul Gallant
Mr. Matt Brill
Mr. Jordan Goldstein
Mr. Anthony Dale
Ms. Johanna Mikes
Ms. Susan Mort